

BARROW
CIVIL DOCKET

72-C-335
(Cons. with 72-C-334)

UNITED STATES DISTRICT COURT

Jury demand date: 10-17-72 by Pltff.

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS			
<p>CHARLES C. BAKER and DOROTHY BAKER, Husband and wife and next friends of CHARLES C. BAKER, Jr. and LINDY BAKER, Minors, DEBBIE HENDERSON, a single person HERBERT SCOTT, WINFIELD SCOTT, EVIS and SHIRLEY HARVILL, husband & wife; WAYNE and SHIRLEY RAKE, husband and wife, ROMAN E. and CAROLYN L. WARD, husband & wife, JAMES W. and MARYBELLE CASEBEER, Husband & wife; ZEDDIE A. and AUDREY CANNON, husband & wife, and all other parties similarly situated along or near TRANSOK PIPELINE COMPANY, an Oklahoma corporation, right-of-way transmission pipeline from Ames, Oklahoma to Oologah, Oklahoma, all within the State of Oklahoma, especially located in Washington and Rogers County</p> <p>vs</p> <p>CENTRAL and SOUTH WEST CORPORATION, a foreign corporation, doing business in the State of Oklahoma, PUBLIC SERVICE COMPANY OF OKLAHOMA, an Oklahoma Corporation, WILLIAMS BROTHERS ENGINEERING COMPANY, a corporation doing business within the State of Oklahoma, R. H. FULTON, INC., a foreign corporation doing business within the State of Oklahoma; PANHANDLE CONSTRUCTION COMPANY, INC., a foreign corporation, doing business within the State of Oklahoma, UNITED STATES STEEL CORPORATION, a foreign corporation doing business within the State of Oklahoma,</p>		<p>For plaintiff: Gerald E. Kamins 217 West 5th St. Tulsa, Oklahoma 74103 582-2244</p> <p>For defendant: Donald G. Hopkins P. O. Box 1439 Tulsa, Oklahoma 74103 - for Panhandle Constr. Co. and The Kendall Company</p> <p>Robert L. Lawrence P. O. Box 201 Tulsa, Oklahoma 74102 - For Public Ser. Co. & Transok PL Co.</p> <p>Joseph A. Sharp (Kendall Co.) 200 Franklin Bldg., Tulsa 74103</p> <p>Bert M. Jones 2900 4th Natl Bank Bldg Tulsa, Okla 74119 - 582-1173 - for US Steel</p>			
STATISTICAL RECORD	COSTS	DATE	NAME RECEIPT	REC.	DISB.
J.S. 5 mailed 10-1-72	Clerk	9/13	Hopkins	15 00	
J.S. 6 mailed 4-1-76	Marshal	9/14	C.D.No.12		15 00
Basis of Action: money damages and injunction	Docket fee				
	Witness fees				
Action arose at:	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-12-72	Petition for removal, filed. ds (from District Court of Rogers County)	
9-12-72	Bond on removal, filed. ds	
9-12-72	Notice of filing of petition and bond for removal by joint defendants, filed. ds	
9-12-72	Answer on behalf of Panhandle Constroction Inc. filed. ds	
9-12-72	Answer of The Kendall Company filed. ds	
9-15-72	Acknowledgment of the Clerk of the District Court in & for Rogers Co., Okla., of Receipt of Copy of the Notice, Petition and Bond for Removal, filed. v	
9-18-72	Application for extension of time by defendants, Public Service Co. of Oklahoma and Transok Pipeline Co, to 10-3-72, filed. Extension granted by Clerk of Court. ds <i>Copy mailed Kansas</i>	
9-20-72	Amended petition for removal, filed. hm	
9-20-72	Amended answer of The Kendall Company, a foregeign corp., filed. hm	
9-21-72	Application for extension of time for U. S. Steel Corp. to answer, filed. ds	
9-21-72	Order allowing U. S. Steel Corp. to 10-3-72 to answer, filed. Granted by Clerk of Court. ds	
9-25-72	Motion of the Pltf.s, to Remand, filed. v	
9-26-72	Brief in support of Pltf.'s Motion to Remand, filed. v	
10-2-72	Ordered by the Court that the Deft.'s are granted 10 days from this date to respond to Pltf.'s Motion to Remand, filed on 9-25-72. (AEB-J)v	
10-3-72	Motion to dismiss w/brief of def. U.S. Steel Corp., filed. rm	
10-3-72	Ordered that pltf. is granted 10 days in which to respond to def. motion to dismiss. (AEB-J) rm - ltr. written s	
10-3-72	Motion to dismiss of defs. Public Service and Transok, w/brief in support thereof, filed. rm	
10-3-72	Ordered that pltf.s. are granted 10 days in which to respond to defs. motion to dismiss. (AEB-J)rm - ltr written	
10-11-72	Pltf.s' application for enlargement of time to reply to defts' motion to dismiss, filed. hm	
10-12-72	Response of Dft. Panhandle Construction Co. to Pltf.s' Motion to Remand, filed. v	
10-12-72	Brief in support, filed. v	
10-12-72	Defendant, U. S. Steel's brief in opposititon to plaintiff's motion to remand, filed. ds	
10-12-72	Response of defts. Public Service Co. of Okla., Transok Pipeline Co., and Central & South West Corp., to Pltf.s' Motion to Remand, filed. r	

(CONE)

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Defendants
Continued
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CONAM INSPECTION COMPANY, INC., doing business within the State of Oklahoma, MOODY ENGINEERING COMPANY, a foreign corporation with principal offices in Pittsburg, Pennsylvania, THE KENDALL COMPANY, a foreign corporation doing business within the State of Oklahoma and TRANSOK PIPELINE COMPANY, an Oklahoma Corporation.

*Defendants attorneys continued from
page 2 1*

Paul McBride (Panhandle)
Box 1439
Tulsa, Oklahoma 74101

William C. Anderson (Paul Mil)
1200 Atlas Life Bg. Moody Eng.
Tulsa, Okla. 74103



D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
10-12-72	Brief in support of Response of defts. Public Service Co. of Okla., Transok Pipeline Co., and Central & South West Corp., to Pltf's Motion to Remand, filed. r	
10-12-72	Deft's (Central & South West Corp) Motion to Dismiss, filed. r	
10-12-72	Deft's Brief in support of Motion to Dismiss, filed. r	
10-12-72	Ordered that pltf. is granted 10 days in which to respond to def't's Motion to Dismiss (AEB-J)r (Letter written)	
10-13-72	Order filed granting plaintiff 10 days in which to respond to def's motion to dismiss filed. h(AEB-J)h	
10-17-72	Pltf's DEMAND FOR JURY TRIAL, filed. r	
10-20-72	Application for leave of court to file amended petition, District Court of Rogers Co. Okla; further leave of court to file amendment to petition herein, filed. ds - copy to Marilyn	
10-20-72	Motion of def. Panhandle Const. to dismiss, w/brief in support thereof, filed. rm	
10-24-72	Ordered that pltfs. are granted 10 days in which to respond to def. Panhandle's mo. to dismiss. (AEB-J)rm	
10-24-72	Response of pltfs. to defs.' motions to dismiss, filed. rm	
10-26-72	Brief of defts. Public Serv. Co. of Okla., Transok Pipeline Co., and Central & Southwest Corp. in response to Pltfs' applic. for leave of Court to file amended petition, Dist. Court of Rogers County, State of Okla., further leave of court to file amendment to petition herein, filed. hm	
10-26-72	Response of the Deft. Kendall Co. to Pltf.s' Motion to Remand and Brief in Opposition Thereto, filed. v	
11-21-72	Motion of defs. Central & SW Corp., Public Service, Transok, and P.Mills dba Moody Eng. to consolidate, with brief in support thereof, filed. rm	
11-21-72	Ordered that pltfs. are granted 10 days in which to respond to said defs. motion to consolidate. (AEB-J)rm - ltr written	
11-22-72	Reply brief in support of motion to dismiss of defts. Central & South West Corp., Public Service Co. of Okla. & Transok Pipeline Co., filed. hm	
11-22-72	Deft. R. H. Fulton, Inc., brief in response to pltfs' motion to remand, filed. hm	
11-22-72	Response of def't. R. H. Fulton, Inc., to pltfs' motion to remand, filed. hm	
11-28-72	Order consolidating, filed, that motion to consolidate is sustained, and this case, 72-C-417 & 72-C-338 are consolidated with 72-C-334. (AEB-J)hm (copies mailed)	

no more entries

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-9-76	Findings of Fact and Conclusions of Law, filed & entered. (AEB-J)k	
3-9-76	<p>Orders and Judgment of Dismissal, filed & entered. Ordered that: (1) pltfs' mots. to remand are denied; (2) pltfs' appl. for leave to file amended petition, Dist. Court of Rogers County - Further leave to file Amendment to Petition Herein is sustained; (3) Mots. to dismiss of defts. U. S. Steel Corp., Public Service Co. of Okla., Transok Pipeline Co., Central and South West Corp., Panhandle Construction Co., Paul A. Mills, an individual, d/b/a Moody Engineering Co., & the Kendall Co., all of which mots. have been adopted by deft. R. H. Fulton, Inc., and which have been considered, by agreement of counsel, as being directed to pltfs' petition, as amended by Amendment to Petition, are sustained; (4) F&R of Mag. are sustained (except as modified herein or in F/F & C/L), and pltfs' objs. to F&R are overruled; and (5) action is dismissed as to all defts. w/ prejudice to re-filing, so long as the Findings and Order of the Corporation Commission of the State of Oklahoma entered in Cause No. 24319, now on appeal in Case No. 45994 before Okla. Supreme Court, remain in full force & effect, and are not altered in any material respect pertaining to the basic findings that the pipeline is safe, properly designed and constructed in substantial compliance w/ applicable safety standards & regulations. (AEB-J)k cps mld</p>	
3-15	<p>Amended Conclusions of Law and Amended Judgment of Dismissal, fld. & entered. (AEB-J)v -cps. mld.</p>	